IN RE: PETITION FOR ADMIN. VARIANCE
W/S of Blue Bell Way, 950' S
of centerline of Wake Robin Road
8th Election District
3rd Councilmanic District
(10594 Blue Bell Way)

John & Linda Buck Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- k CASE NO. 99-511-A

* * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by John & Linda Buck, property owners, for that property known as 10594 Blue Bell Way in the Cockeysville area of Baltimore County. The Petitioners herein seek a variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504 of the Comprehensive Manual of Development Policies (C.M.D.P.), and Section 301.1.A of the B.C.Z.R., to permit an open projection setback in rear yard of 17 ft. in lieu of the required 22 ½ ft. for a deck, and to amend the previously approved plan and order in Zoning Case #96-441-SPHA, and to amend the last approved final development plan for Lot #39 in Willowbrook. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the

information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2 day of July, 1999 that a variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504 of the Comprehensive Manual of Development Policies (C.M.D.P.), and Section 301.1.A of the B.C.Z.R., to permit an open projection setback in rear yard of 17 ft. in lieu of the required 22 ½ ft. for a deck, and to amend the previously approved plan and order in Zoning Case #96-441-SPHA, and to amend the last approved final development plan for Lot #39 in Willowbrook, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

PURPLE STATE FOR FLING



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

July 22, 1999

Mr. & Mrs. John Buck 10594 Blue Bell Way Cockeysville, Maryland 21030

Re: Petition for Administrative Variance

Case No. 99-511-A

Property: 10594 Blue Bell Way

Dear Mr. & Mrs. Buck:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

unthyKofroce

TMK:raj Enclosure





CASE NO. 99-511-A

REV 9115198

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10594 Blue Bell Way Cockeysville MD which is presently zoned resident tinks Schola Frank

which is presently zoned <u>residential</u> strate to
This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) BOI.2.C. BOZZ SECT. 504 CMDP AND 301.1.A BCZR TO PERMIT AN OPEN PROJECTION SETISACE IN REAR YARD (ATTACHED DECK) OF 17 FT. IN LIEU OF THE PERVIRED 221/2 FT. TO AMEND THE PREVIOUSLY APPROVED PLAN AND ORDER IN ZWING-CASE # 96-441-5PHA AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN FOR LOT#39 IN WILLOWBROOK. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back
of this petition form.
Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning
regulations and restrictions of Baltimore County adopted pursuant to the restriction of the restrictions of Baltimore County adopted pursuant to the restriction of t

			I/We do solemnly de perjury, that I/we are is the subject of this	clare and affirm, under the the legal owner(s) of the Petition.	e penalties of property which
Contract Purchas	ser/Lessee:		<u>Legal Owner(s)</u>	• •	
			John E. Buc	e K	
Name - Type or Print			Name Type or Print	uk	
Signature			Signature	<u>ur</u>	
			Linda M. Bu	cK	
Addless	·	Telephone No.	Name - Type or Brint		
City		*	Kinde "	m. Buel	
City	State	Zip Code	Signature	(410) W- 716-2984
Attorney For Peti	itioner:		10594 Blue B	ell Way Cockeysvill	e H - 683-0150
\$			Address	1 1	Telephone No.
2 7			Cockeysville	MD	21030
Name - Type or Print			City J	State	Zip Code
3 3	•		Representative	to be Contacted:	
Signature			<u> Aoprocandure</u>	to be contacted.	
170			•		
Company			Name		
Address		Telephone No.	Address		Telephone No.
<u> </u>					
City	State	Zip Code	City	State	Zip Code
A Public Hearing having this day of	g been formally demande	ed and/or found to I	pe required, it is ordered by	he Zoning Commissioner of	Baltimore County,
regulations of Baltimore C	County and that the property	y be reposted.	this petition be set for a public	, nearing, advertised, as requ	uired by the zoning
				<u>-</u>	
			Zoning Comn	nissioner of Baltimore County	

Estimated Posting Date

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

	·		// · 1	
	That the Affiant(s) does/do presently reside at	10594 Blue Ba	ell Way	
		Cockeysville	MD	21030
		City J	State	Zip Code
	That based upon personal knowledge, the follow Variance at the above address (indicate hardshithe property is unique and unusua	p or practical difficulty):	· Reasons thez	coning regulations,
١.	the home is already situated 21 rear lot line on an irregular pie	shaped, 25 acrel	ot.	et and my property:
3.	Other lots in the area are much Strict compliance with BCZRT an unreasonable hardship. 1. A 30' setback would elimin. 2. Failure to grant a variance on the same street were	# would be a	practical imply of construction antial injustic	ossibility and represe ng a deck in center of ed. Five other hom
e	3. Relief can be granted whi are no neighbors to the r	ear of property, u	ith a large for	rest Buffer Easemen
\mathbf{r}	The relief reduction is in sin	ICA IDA II CO		= ' = ' - ' - '
E.	Granting relief does not impo	ect the surround	ing neighbors	in any way,
	That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand is filed, Aff		
	Signature Buck	Signature	Keridae	m. Buch
	John E. Buck Name - Type or Print	Lind	a. M. Buck	-
	STATE OF MARYLAND, COUNTY OF BALTIM	-		
	I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per	sonally appeared	· '	a Notary Public of the State
	about Ash John E. Brite 4	Linda M	Buck	
	the Affiant(s) herein, personally known or satisficial law that the matters and facts hereinabove set for	acioniv ideninied id me a	s such Amanusi, and	I made oath in due form of eir knowledge and belief.
	AS WITNESS my hand and Notarial Seal		Trunk Enj	
	<u>6-8-99</u>	Note: 5 LE	Jun Jung	
	Date /	Notely Fublic	, NOT41	FRANK LAY RY PUBLIC STATE OF MARYLAND
		My Commission	Expires	majorios froires lune 1 2003

Affidavit in Support of Administrative Variance

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	That the Affiant(s) does/do presently reside at	10594 Blue B. Address	ell Way	
		Cockeysville	MD	21030
	That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the facts upon vip or practical difficulty):		
	The property is unique and unusua the home is already situated 25 rear lot line on an irregular pie Other lots in the area are much	3-29' trom the shaped, 25 acre larger.	lot.	oning regulations, tool my property:
),	Strict compliance with BCZR? an unreasonable hardship.	To the possibility	. practical impo	is a deck in center of
	2. Failure to grant a variance on the same street were 3. Relief can be granted whi are no neighbors to the r	mental De a suns.	recent ten injury the	
	N/A are no neighbors to the r The relief requested is in stri Granting relief does not impa			
_	That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand is filed, A		
/	Shule Buck	Signature	nd M.	Buel
Ċ	John E. Buck Name - Type or Print	Lind Name - T	la M. Buck ype or Print	
	STATE OF MARYLAND, COUNTY OF BALTIM	ORE, to wit:		
	I HEREBY CERTIFY, this gray day of of Maryland, in and for the County aforesaid, per		99, before me, a	Notary Public of the State
	the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	actorily identified to me a orth are true and correct t	as such Affiant(s), and the best of his/her/the	made oath in due form of eir knowledge and belief.
	AS WITNESS my hand and Notarial Seal		runts ling	-
	6 -8 -9 9 Date	Notary Public		7
	P911 (19115198	My Commission	•	FRANK LAY

My Commission Expires June 1, 2003



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10594 Blue Bell Way Cockeysville MD which is presently zoned residential- Single famil

___ Date _

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) | BOI. 2, C. I. B BCZR, SECT. 504 CMDP AND 301.1. A BCZR TO PERMIT AN OPEN PROJECTION JETBACK IN REAR YARD (ATTACHED DECK) OF 17 FT. IN LIEU OF THE REQUIRED 22 FT.

TO AMMEND THE PREVIOUSLY APPROVED PLAN AND ORDER IN ZOWING CASE # 96-441-5PHA AND TO AMMEND THE LAST APPROVED FINAL DEVElop-MENT PLAN FOR LOT #39 IN WILLOWBROOK.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

CASE NO. 99-511-A

REU 9/15/98

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we are the leg is the subject of this Petition	gal owner(s) of the	
Contract Purchaser/Les	see:		Legal Owner(s):		
			John E. Buck		
Name - Type or Print			Name Type or Print		
Signature			Signature Linda M. Buck		
Address	<u></u>	Telephone No.	Name - Type or Print	Beech	
City	State	Zip Code	Signature	(410) w-716-2984
Attorney For Petitioner:			10594 Blue Bell W	ay Cockeysvil	e H - 683-0159 Telephone No.
			Cockeysville	MD	2030
Name - Type or Print	· · · ·		City	State	Zip Code
			Representative to be	Contacted:	•
Signature			Representative to be	Contacteu.	
Company			Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been for his day of egulations of Baltimore County and	· +h	ant the cubiect matter.	be required, it is ordered by the Zoni of this petition be set for a public hearing		
			Zoning Commissione	r of Baltimore Count	V
			Zoning Commissione	i oi daiminie comi	J

Estimated Posting Date

511

Zoning Description

Zoning Description for 10594 Blue Bell Way:

Beginning at a point on the West side of Blue Bell Way, which is 50 feet wide at the distance of 950 feet South of the centerline of the nearest improved intersecting street Wake Robin Road, which is 50 feet wide. Being Lot# 39, section B in the subdivision of Willowbrook as recorded in Baltimore County Plat Book Liber# 69, Folio# 75, containing 10,410 square feet. Also known as 10594 Blue Bell Way and located in the 8th Election District, 3rd Councilmanic District.

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER CASHIER'S VALIDATION ORDINATION		FOR. RV AND AMEND FDP.	FROM: BUCK	AMOUNT \$ 100.00	DATE 6/17/99 ACCOUNT ROO16150	BALTIMORE COUNTY, MARYLA OFFICE OF BUDGET & FINANCE UL 511 No. 069892 MISCELLANEOUS RECEIPT
CASHIER'S VALIDATION	アニカ	•	LOO.OO CK .OO CA Daltimore County, Naryjand	Receipt # 076571 OFFITALIAN OFFITALIAN CONTROL OF STATE O	RED 1894 CASHLER JKAR JLK DIKAMER 5	





Quality Signs & Graphics Since 1950

Traffic Control Materials -- Reflective Products 105 Competitive Goals Drive -- Eldersburg, Maryland 21784 Phone: (410) 781-4000 Toll Free: 1-800-368-2295 Fax: (410) 781-4673 www.shannonbaum.com

June 24, 1999

Baltimore County Dept. of Permits and Development Management County Office Building, Room 111 111 W. Chesapeake Ave. Towson, MD 21204

To Whom It May Concern:

Please accept this letter as a Certificate of Posting for a Baltimore County zoning sign, as I have run out of your certificates. The following sign was posted on June 24, 1999 by our company.

CASE # 99-511-A

JOHN BUCK 10594 BLUE BELL WAY COCKEYSVILLE, MD 21030

If you have any questions regarding this posting, please feel free to contact me.

Stacy Gardner

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

	1
Case i	Number 99- 511 -A Address 10594 BLVEBELL WAY
Contac	Date: 6 17 99 Posting Date: 6 27 99 Closing Date: 7/12/90
	Planner, Please Print Your Name
Filing	Date: Posting Date: 6 2799 Closing Date: 7729
Any co	ontact made with this office regarding the status of the administrative variance should be high the contact person (planner) using the case number.
1.	<u>POSTING/COST</u> : The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2.	DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3.	ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted. denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4.	POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
	(Detach Along Dotted Line)
Petitic	oner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case I	Number 99-511 -A Address 10594 BLUE BELL WAY
	ner's Name John't Linda Buck Telephone 410 683 0159
Postir	ng Date: 6 27 99 Closing Date: 7 12 99.
	ng for Sign: To Permit To PERMITAN OPEN PROVECTION SETBACKIN PETAR YARD OF
	IN YEU OF 22 1/2 FT. TO AMENIN THE PRIOR ZOWING CROEK AND PLAN IN CASE 4
	41-SPHA AND TO IMMEND THE LAST APPRONED FINAL DEVELOPMENT PLAN FOR
	- #39. IN WILLOWBROOK
	•

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number:
Address or Location: 10594 BLUE BELL WAY
PLEASE FORWARD ADVERTISING BILL TO: Name: JOHN AND LINDA BUCK
Address: 10594 BLUE BELL WAY
COCKEYSUILLE MD. 210 30 Telephone Number: 410 683 0159.

Revised 2/20/98 - SCJ

99-511-A

1/12 AV

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 12, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

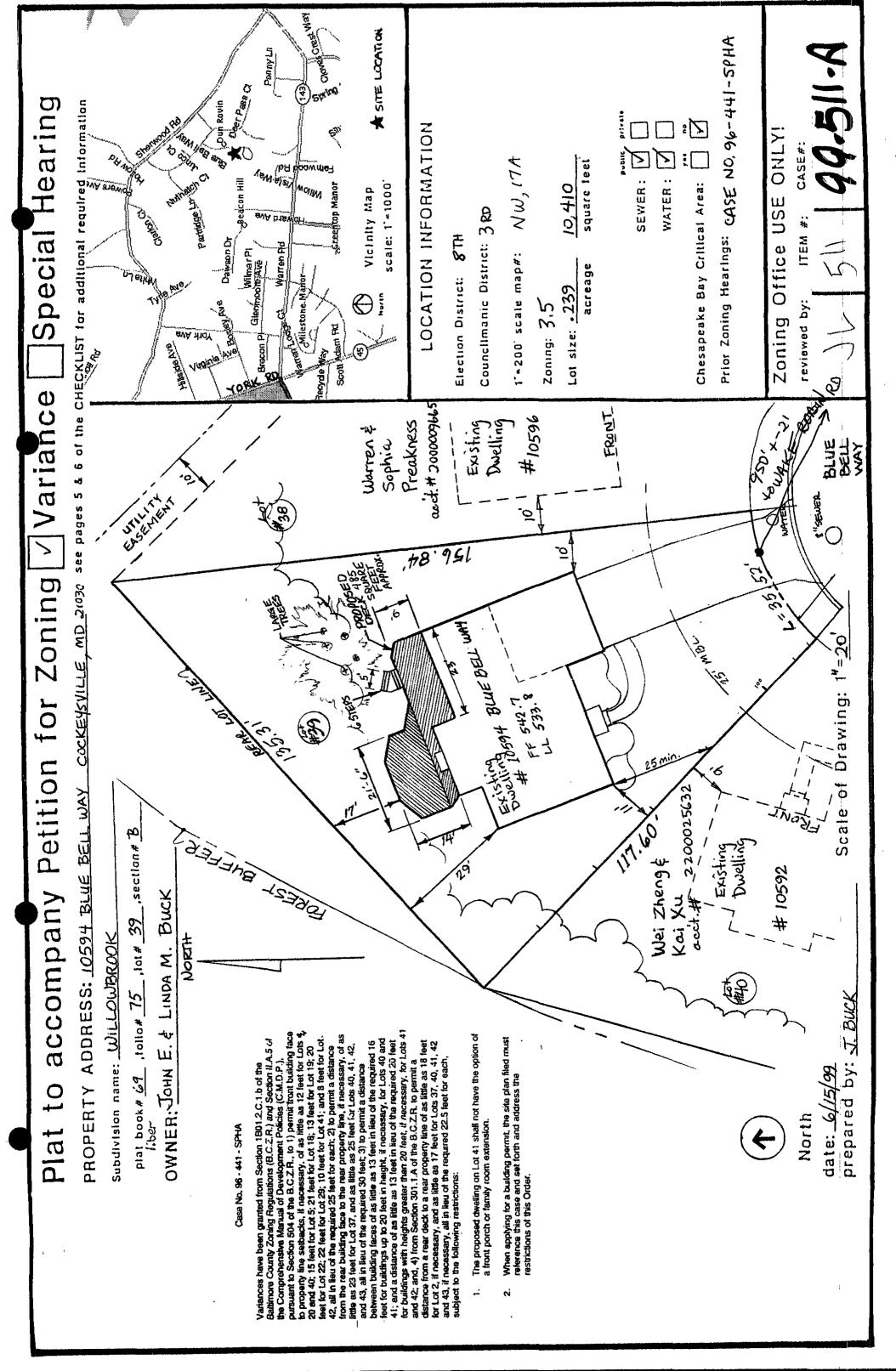
The Office of Planning has no comment on the following petition(s): Item No(s): 507, 510, 511, 512, 513, 515, 518, 521, 522, and 523

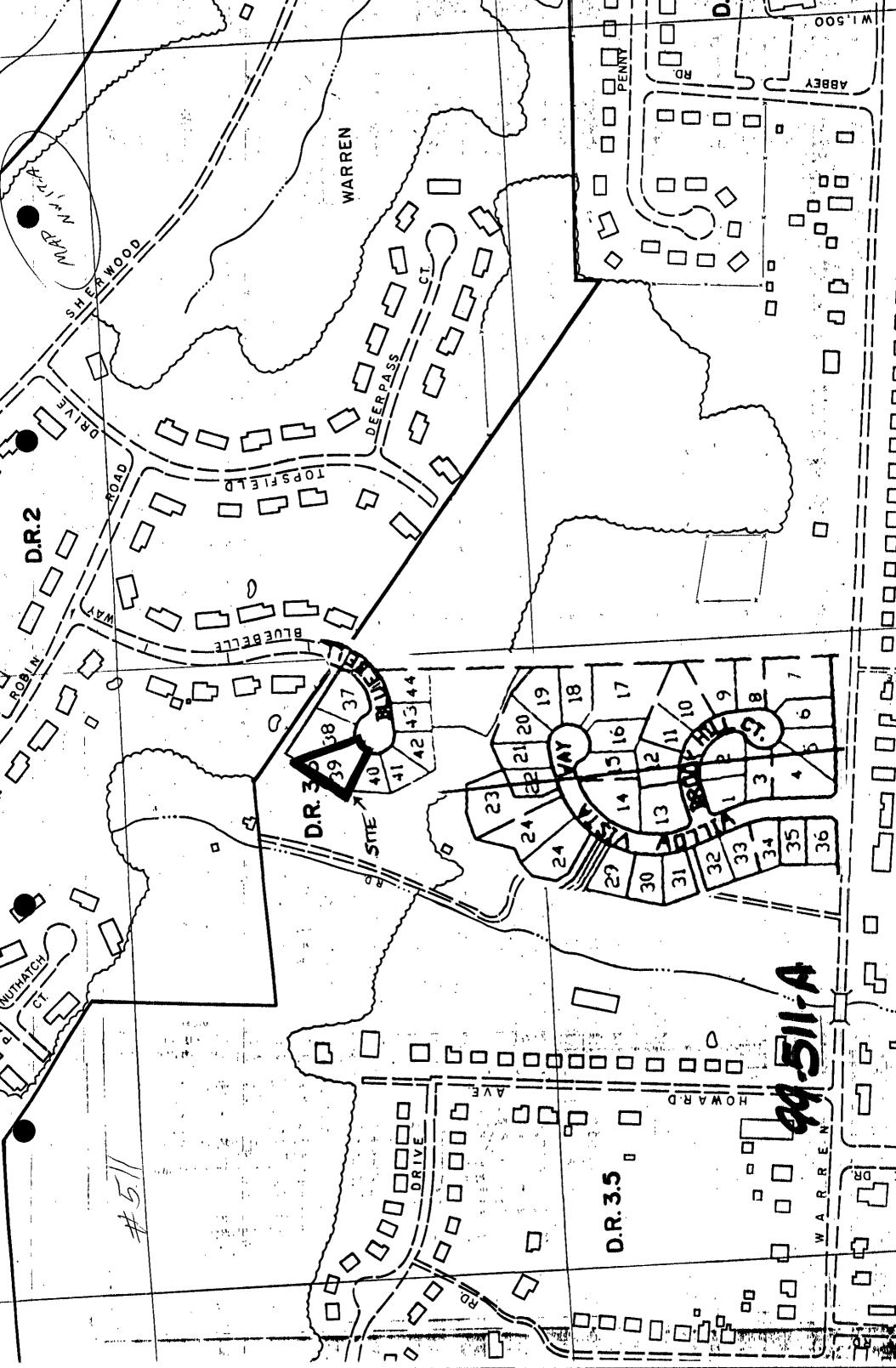
If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

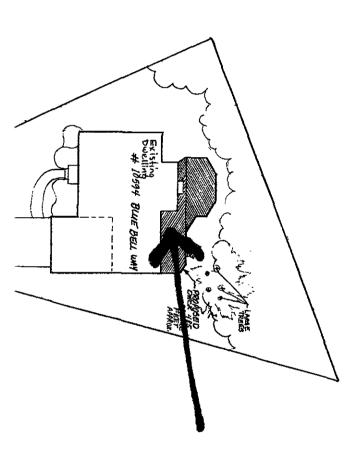
effy w Zz

Section Chief:

AFK/JL



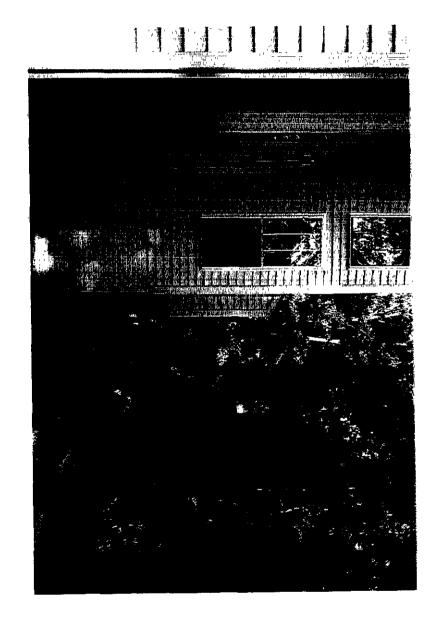




VIEW TOWARDS

POORWALL ENTRANCE

TO PROPOSED DECK



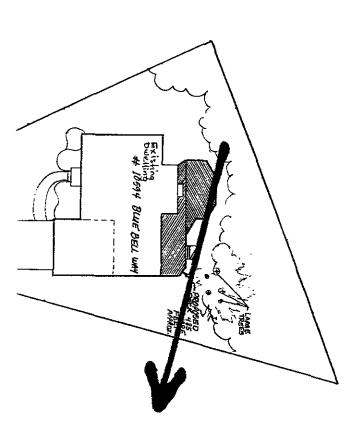
5

99.511-A

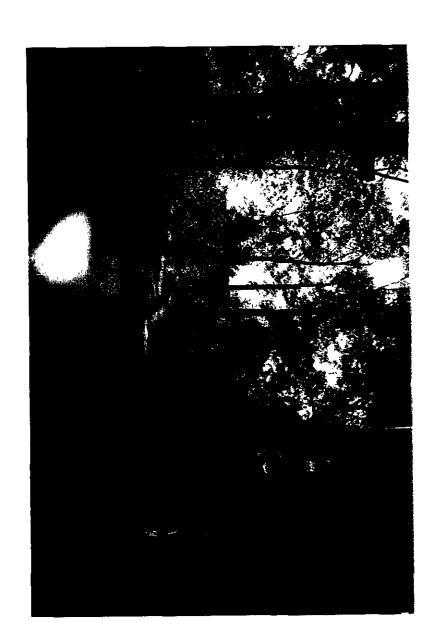
ADJACENT HOME
AT 10592 BLUE BELL WAY Existing Dwelling # 18994 BLUE BELL WAY



44-511-A

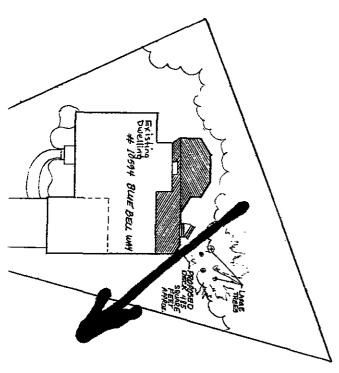


HOME AT 10596
BLUE BELL WAY

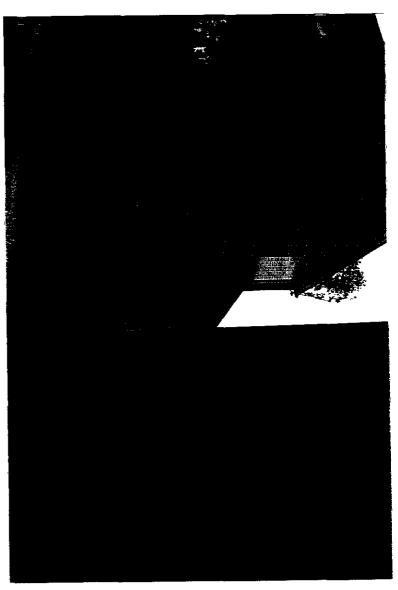


5

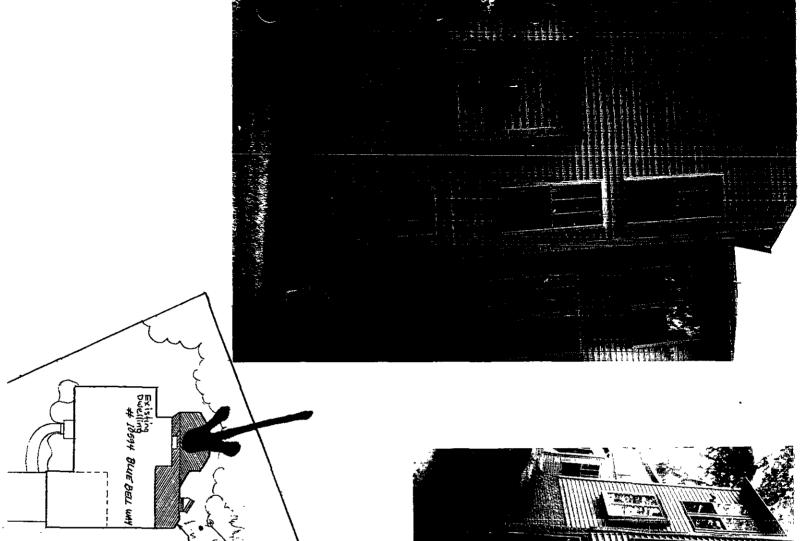
99.511-A



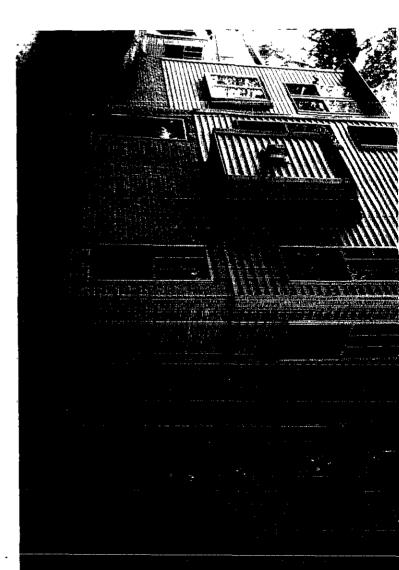
VIEW TOWARDS ADJACENT HOME AT 10596
BLUE BELL WAY

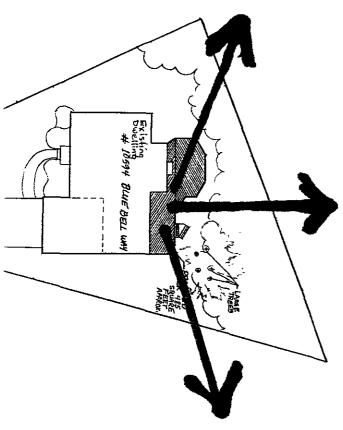


49.511-A



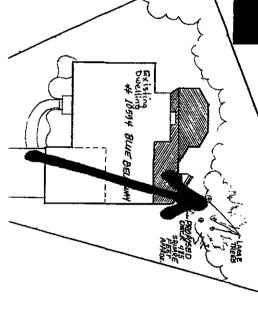
VIEWS IN DIRECTION OF REAR OF HOME AND AREA FOR PROPOSED DECK 4.5 VIEWS IN DIRECTION OF REAR OF HOME AND





PANDRAMIC VIEW OF REAR YARD 99.511.A





VIEW FROM REAR WINDOW
IN DIRECTION OF LARGE
TREES (LOCATED WITHIN
16' OF REAR OF HOME).

70

99.511-A

